

#29/RCE
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VShaw

PTO/SB/30 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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|--|-----------------------------|------------------|
| REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL Address to: Commissioner for Patents Box RCE Washington, DC 20231 | Application Number | 09/172,298 |
| | Filing Date | October 14, 1998 |
| | First Named Inventor | Howard E. Rhodes |
| | Group Art Unit | 2811 |
| | Examiner Name | G. Munson |
| | Attorney Docket No. | M4065.0101/P101 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

| | |
|---|--|
| 1. Submission required under 37 CFR 1.114 | |
| a. <input checked="" type="checkbox"/> Previously submitted | |
| i. <input checked="" type="checkbox"/> Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on <u>May 15, 2002</u> (Any unentered amendment(s) referred to above will be entered). | |
| ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____ | |
| iii. <input type="checkbox"/> Other _____ | |
| b. <input checked="" type="checkbox"/> Enclosed | |
| i. <input type="checkbox"/> Amendment/Reply | |
| ii. <input type="checkbox"/> Affidavit(s)/Declaration(s) | |
| iii. <input type="checkbox"/> Information Disclosure Statement (IDS) | |
| iv. <input checked="" type="checkbox"/> Other <u>Preliminary Amendment</u> | |
| 2. Miscellaneous | |
| a. <input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required) | |
| b. <input type="checkbox"/> Other _____ | |
| 3. Fees The RCE fee under 37 CFR 1.17 (e) is required by 37 CFR 1.114 when the RCE is filed. | |
| a. <input type="checkbox"/> The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____ | |
| i. <input checked="" type="checkbox"/> RCE fee required under 37 CFR 1.17(e) | |
| ii. <input checked="" type="checkbox"/> Extension of time fee (37 CFR 1.136 and 1.17) | |
| iii. <input type="checkbox"/> Other _____ | |
| b. <input type="checkbox"/> Check in the amount of \$ _____ enclosed | |
| c. <input checked="" type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed) | |

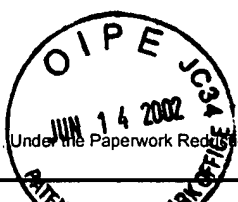
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| | | | |
|--|-------------------|-----------------------------------|---------------|
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED | | | |
| Name (Print/Type) | Thomas J. D'Amico | Registration No. (Attorney/Agent) | 28,371 |
| Signature | | Date | June 14, 2002 |

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740.00 OP



PCG 1284

| FEE TRANSMITTAL for FY 2002 <small>Patent fees are subject to annual revision.</small> | | Complete if Known | |
|--|-------------------|--|------------------|
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | | Application Number | 09/172,298 |
| TOTAL AMOUNT OF PAYMENT (\$) | | Filing Date | October 14, 1998 |
| 850.00 | | First Named Inventor | Howard E. Rhodes |
| | | Examiner Name | G. Munson |
| | | Group Art Unit | 2811 |
| | | Attorney Docket No. | M4065.0101/P101 |
| METHOD OF PAYMENT (check all that apply) | | FEE CALCULATION (continued) | |
| <input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None | | 3. ADDITIONAL FEES | |
| <input type="checkbox"/> Deposit Account | | Large Entity Small Entity | |
| Deposit Account Number 04-1073 | | Fee Code Fee (\$) Fee Code Fee (\$) | |
| Deposit Account Name Dickstein Shapiro Morin & Oshinsky LLP | | Fee Description Fee Paid | |
| The Commissioner is hereby authorized to: (check all that apply) | | 105 130 205 65 Surcharge - late filing fee or oath | |
| <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments | | 127 50 227 25 Surcharge - late provisional filing fee or cover sheet | |
| <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application | | 139 130 139 130 Non-English specification | |
| <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account. | | 147 2,520 147 2,520 For filing a request for ex parte reexamination | |
| FEE CALCULATION | | 112 920* 112 920* Requesting publication of SIR prior to Examiner action | |
| 1. BASIC FILING FEE | | 113 1,840* 113 1,840* Requesting publication of SIR after Examiner action | |
| Large Entity Small Entity | | 115 110 215 55 Extension for reply within first month 110.00 | |
| Fee Code Fee (\$) | Fee Code Fee (\$) | 116 400 216 200 Extension for reply within second month | |
| 101 740 201 370 Utility filing fee | | 117 920 217 460 Extension for reply within third month | |
| 106 330 206 165 Design filing fee | | 118 1,440 218 720 Extension for reply within fourth month | |
| 107 510 207 255 Plant filing fee | | 128 1,960 228 980 Extension for reply within fifth month | |
| 108 740 208 370 Reissue filing fee | | 119 320 219 160 Notice of Appeal | |
| 114 160 214 80 Provisional filing fee | | 120 320 220 160 Filing a brief in support of an appeal | |
| SUBTOTAL (1) (\$) | | 121 280 221 140 Request for oral hearing | |
| 0.00 | | 138 1,510 138 1,510 Petition to institute a public use proceeding | |
| 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE | | 140 110 240 55 Petition to revive - unavoidable | |
| Total Claims 91 -92 = | | 141 1,280 241 640 Petition to revive - unintentional | |
| Independent Claims 5 -5 = | | 142 1,280 242 640 Utility issue fee (or reissue) | |
| Multiple Dependent | | 143 460 243 230 Design issue fee | |
| Large Entity Small Entity | | 144 620 244 310 Plant issue fee | |
| Fee Code Fee (\$) | Fee Code Fee (\$) | 122 130 122 130 Petitions to the Commissioner | |
| 103 18 203 9 Claims in excess of 20 | | 123 50 123 50 Processing fee under 37 CFR 1.17(q) | |
| 102 84 202 42 Independent claims in excess of 3 | | 126 180 126 180 Submission of Information Disclosure Statement | |
| 104 280 204 140 Multiple dependent claim, if not paid | | 581 40 581 40 Recording each patent assignment per property (times number of properties) | |
| 109 84 209 42 ** Reissue independent claims over original patent | | 146 740 246 370 Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 110 18 210 9 ** Reissue claims in excess of 20 and over original patent | | 149 740 249 370 For each additional invention to be | |
| SUBTOTAL (2) (\$) | | 179 740 279 370 Request for Continued Examination (RCE) 740.00 | |
| 0.00 | | 169 900 169 900 Request for expedited examination of a design application | |
| **or number previously paid, if greater; For Reissues, see above | | Other fee (specify) | |
| SUBMITTED BY | | *Reduced by Basic Filing Fee Paid | |
| Name (Print/Type) | Thomas J. D'Amico | SUBTOTAL (3) (\$) | |
| Registration No. (Attorney/Agent) | 28,371 | 850.00 | |
| Signature | | Telephone (202) 828-2232 | |
| | | Date June 14, 2002 | |

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